

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
MARCH 24, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, March 24, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose "Butch" Schitter	Present

Also present were Street Commissioner Raymond Eckerle, Personnel/Safety Director Charles Schneider, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, Clerk-Treasurer Juanita S. Boehm and Police Officer Mike Stallman.

City Engineer Chad Hurm and Police Chief Douglas Tarvin were absent.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on March 10, 2009. A **motion** was made by Ambrose "Butch" Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

MEMORIAL HOSPITAL FOUNDATION HEALTH WALK

Mike Jones, representing Memorial Hospital Foundation, requested permission to use the River Walk during Old Jasper Days on May 31, 2009 from 1:00 p.m. to 3:00 p.m. in order to conduct a health walk that may help individuals grow a better life style. He then presented to the board members a pedometer, pamphlets from last year, and a draft copy of a waiver form.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the Memorial Hospital Foundation to use the River Walk on May 31, 2009 from 1:00 p.m. to 3:00 p.m. for a Walk on condition all participants sign a waiver. Motion carried 3-0.

STRAWBERRY FESTIVAL

Todd Gunderson, representing the Jasper Lions Club, asked permission to use two shelter houses at the River Walk area on May 31, 2009 from 9:00 a.m. to 5:30 p.m. for their annual

strawberry festival. City Attorney Sandra Hemmerlein informed Gunderson that the City will need a certificate of insurance from the Lions Club since food will be served to the public.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request of the Jasper Lions Club to use two shelter houses at the River Walk on May 31, 2009 from 9:00 a.m. to 5:30 p.m. on provision the rental fee is paid and the proper insurance is provided. Motion carried 3-0.

BURN BRUSH

Brent Wening, representing Wening Farms, said they are cleaning up the damage to a wooded area located in the Kimball Industrial Park that was caused by a recent high wind storm. Wening sought permission to burn three, 10 x 20 brush piles that are approximately ninety feet apart. Fire Chief Kenneth Hochgesang said he does not foresee a problem unless it is windy. Mayor Schmitt said the ordinance allows such burns.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request of Mr. Wening on condition that he heavily consults with the fire chief on the day of the burn and follows his direction. Motion carried 3-0.

WAIVE SHELTER HOUSE RENTAL FEE

Mayor Schmitt read the following letter from the JHS German Exchange Program Assistant Chaperone Sandy Wehr:

On April 14, several German students along with their chaperones from Poessneck, Germany will arrive here in Jasper to begin a two week exchange experience with Jasper High School German Students. As is tradition, we (the JHS German Exchange Program) will have a welcome party on April 15. We would like to host the party at the Jaycee Park shelter house from 5:30 p.m. to 9:00 p.m. and respectfully request a waiver of the \$25.00 fee since this event promotes our German Heritage in Jasper.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to grant approval to waive the \$25.00 shelter house rental fee on April 15, 2009 for the 'Welcome Party'. Motion carried 3-0.

Under discussion, Mayor Schmitt said he thinks there needs to be a tie to the City and some consistency about when a rental fee qualifies for a waiver. In this case, the exchange program is important to our image and promotes our German heritage. When we celebrate Strassenfest, it helps the economy and businesses in Jasper and this program is kept alive through the schools. Schmitt said if a local organization conducts a fundraiser for a cause then the rental fee should be paid because the event is held to make money. If the event is not a fundraiser and its purpose is to promote, then the waiver may be considered.

SIDEWALK REPLACEMENT PROJECT

Building Commissioner David Seger, on behalf of City Engineer Chad Hurm, requested permission to proceed with the sidewalk replacement program by replacing the sidewalk on both sides of Jackson Street between 7th and 9th Streets. These sections would be replaced entirely by the City and would include ADA ramps at the intersections. The cost for this project is \$29,949.00.

Mayor Schmitt asked if the big poplar tree in front of the Dan Beckman home on Jackson Street has liability potential. Street Commissioner Raymie Eckerle stated he checked with several arborists and it is felt the tree is solid and can go for a few more years, but he is still waiting from an arborist before submitting a final answer. Mayor Schmitt asked what affect the tree could have on the sidewalk. Eckerle said any time there are tree roots, it could affect the sidewalk.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the request of the City Engineer to start the process to replace the sidewalks on Jackson Street between 7th and 9th Streets as described this morning. Motion carried 3-0.

50/50 SIDEWALK REPLACEMENT PROJECT

Mayor Schmitt said the property owner at 1319 Kundek Street, Cristina L. Schuler-Cyrill, would like to participate in the 50/50 sidewalk replacement program and replace the sidewalk at that location. According to a letter from the city engineer, the project meets the criteria. The total project cost is \$979.90 with the property owner’s match being \$489.95.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Cristina L. Schuler-Cyrill to participate in the 50/50 sidewalk replacement program and approve the project at 1319 Kundek Street. Motion carried 3-0.

MATRIX 4TH STREET PARKING LOT

Building Commissioner David Seger said Matrix Integration tore down a house located on the north side of 4th Street between Main and Newton Streets and hired Hunter Asphalt to install a parking lot on that site. Since a north/south alley lies next to the proposed lot, Hunter Asphalt requested that the vehicles from the lot enter the alley first and then exit onto 4th Street rather than directly exiting onto 4th Street. Seger said if the vehicles exit the lot directly onto 4th Street, two on-street parking spaces would have to be eliminated.

A **motion** was made by Mayor Schmitt and seconded Ambrose ‘Butch’ Schitter to approve the request on the condition it is okay with the owner, Matrix. Motion carried 3-0.

15TH STREET HOUSE INSPECTION

Building Commissioner David Seger reported that after the police department received complaints about a possible unkempt house located on E. 15th Street, an inspection was held. Seger said some clean-up had been done and the property was better than expected but more needs to be done. Seger said he will write a letter that contains the results of the inspection.

INDOT STREET SWEEPING CONTRACT

Mayor Schmitt presented a two-year street sweeping contract between the City and INDOT. The amount of the contract, \$300.00 per curb mile, is the same as it has been for several years. The contract which begins July 2009 is for sweeping the highways at least four times a year. There are 8.06 curb miles for a fee of \$2418.00 per year.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to enter into the agreement with INDOT for sweeping service. Motion passed 3-0.

ROAD SALT

Street Commissioner Raymie Eckerle said he recently attended the Purdue Road School and learned IACT could not get any salt quotes. This Friday, March 27, 2009, IACT is hosting a conference call with IDOA and INDOT to discuss the road salt issue. Eckerle said he will participate in the conference call.

RECYCLING BINS

Street Commissioner Raymie Eckerle said the City's supply of recycle bins and lids are down to about 130, about a two-month supply. They previously applied for a 50% grant from the State but it was denied due to budget cuts. Eckerle said in 2009 he budgeted \$20,000.00 for more bins. The average cost for a 14 gallon, good quality bin is \$6.92 and \$3.55 for a lid. Eckerle said a decision needs to be made whether or not the City wants to have bins available to sell to the public and for what price. Eckerle said he feels recycling is the right thing to do. Mayor Schmitt said the bins were originally available to help encourage people to recycle. Times and money matters have now changed and the City needs to figure out what it wants to do.

STREET CLOSING

Street Commissioner Raymie Eckerle asked permission to close 19th Street in Country Club Estates next week sometime weather permitting to replace a storm sewer.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to close 19th Street in Country Club Estates upon proper notification to emergency personnel. Motion carried 3-0.

ICE STORM FEMA REIMBURSEMENT

Personnel/Safety Director Charles Schneider informed the board that he met with FEMA to request a reimbursement for damage caused by the ice storm. The total reimbursement submitted is \$44,606.61 and if approved, the City will receive 75% of that total.

FIREFIGHTER RESIDENCY HANDBOOK CHANGE

Fire Chief Kenneth Hochgesang discussed the proposed changes to the firefighter residency handbook policy. Changing the policy will allow the department to get the best possible applicants during the hiring process. Hochgesang then read the current policy that is more restrictive than the proposed policy. The proposed policy says "All firefighters are required to live in the corporate limits of the City of Jasper, or within the boundaries of Bainbridge Township."

Resolution No. BPWS 2009-4 was then presented to the Board for its approval.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve Resolution No. BPWS 2009-4 titled RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER, INDIANA REGARDING AMENDING THE JASPER VOLUNTEER FIRE DEPARTMENT FIREFIGHTER MEMBER EMPLOYEE HANDBOOK. Motion passed 3-0.

POLICE DEPARTMENT REPORTS

Meth lab arrests. Police Officer Mike Stallman said there was a news release about the meth lab arrests that recently occurred. The State received a tip and due to the efforts of the law enforcement agencies working well together, arrests were made.

Traffic accident. Stallman said the department has received many good comments about how well the emergency personnel worked together at the March 11, 2009 traffic accident on Newton Street that involved a semi, school bus, and several other vehicles.

Tip hot line. Mayor Schmitt asked how the tip hot line is working. Stallman said the detectives deal with that issue. Schmitt then asked Stallman to make a note for the Chief asking him to give an update at a future meeting about how the tip hot line works.

Training. Stallman reported that the Training Council held a DUI training session at the Habig Center last week. It was hosted by Deborah Dysert and Christine St. John from the prosecutor's office. Stallman also said there was training at the police firing range at Beaver Lake today and tomorrow which also includes officers from Washington and Tell City.

K-9 dog. Thomas Schmidt stated that when funding was originally placed in the budget for getting a drug dog, he was not in favor of it but went along with it because others thought it was a good idea to have a K-9 dog. Schmidt asked Stallman, who is the canine officer, if they are actively using the dog and if so, how good is our drug dog. Schmidt read a recent article from the Herald that said the Indiana State Police were called to bring in their drug dog. Since the situation occurred in Jasper, Schmidt asked why Jasper's dog was not used. Stallman explained that he was not on duty at that time and if another canine officer is on duty just as that state officer was, they are called to respond. Schmidt asked Stallman to provide a report about the usage of the dog. The report should contain such things as number of calls, number of arrests, and expenses.

EASEMENTS

City Attorney Sandra Hemmerlein presented the following easements for acceptance and approval:

Grant of Permanent Sanitary Sewer Easement

Donal H. Cave and Marie Cave – Part of Lot 10 in Kellams' Second Addition

Grant of Permanent Utility Easement

TOMCA, LLC, by Thomas D. Hilsmeier & Calvin A. Haas – Part of the SE ¼ of SE ¼ of S34, T1S, R5W

Grant of Permanent Electric Utility Easement

Indiana Railroad Museum, Inc by G. Alan Barnett, President & General Manager- Part of the NE ¼ of the SW ¼ of S35, T1S, R5W

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve and accept the easements as described by the city attorney.
Motion carried 3-0.

ADJOURNMENT. There being no further business to come before the board, a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:26 a.m.

The minutes were hereby approved _____ with X without corrections or clarification this 14th day of April, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary